

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY
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IN RE ACTOS END-PAYOR ANTITRUST
LITIGATION

This Document Relates to:

ALL ACTIONS

Master File No. 13-CV-9244 (RA) (SDA)

ORDER


RONNIE ABRAMS, United States District Judge:

Currently pending before the Court is Plaintiff Crosby Tugs, LLC's ("Crosby Tugs") motion to dismiss its claims without prejudice. *See* ECF No. 425. The Court notes that since this motion was filed, a substantial amount of discovery has taken place in this matter. No later than May 23, 2023, Defendants shall file a letter setting forth their position on the following questions:

- 1) Whether Defendants have received discovery from Crosby Tugs, as requested in their Opposition as a condition of dismissal (*see* Opp. at 8, requesting "all documents and data that [Crosby Tugs] is obligated to produce in response to Takeda's document requests");
- 2) Whether Defendants consent to dismissal of Crosby Tugs' claims without prejudice, with the condition that Crosby Tugs will not re-file individual claims against Defendants. *See* Reply Br. at 2.

SO ORDERED.

Dated: May 9, 2023
New York, New York



Ronnie Abrams
United States District Judge